

REMARKS

Summary

The Application has been carefully reviewed in light of the Office Action dated January 8, 2008. In this response, claims 7, 16-17, 19, and 23 are amended, claims 20-22 and 24-26 are canceled, and no claims are added. Accordingly, claims 7-8, 16-17, 19 and 23 are pending. Reconsideration and further examination is respectfully requested.

Rejections under 35 U.S.C. §103

Claims 7-8, 16-17, and 19-26 are rejected under 35 U.S.C. 103(a) over US Patent No. 4,758,836 (Scuilli) in view of US Patent No. 7,065,782 (Shimoji). Applicant respectfully traverses the above-noted rejections under 35 U.S.C. §103(a) because no *prima facie* case of obviousness has been established. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See M.P.E.P. §2413, 8th edition, Rev. 5 (August 2006).

In lieu of the present Amendments, the rejections of claims 20-22 and 24-26 are now moot. As such, withdrawal of the rejections of claims 20-22 and 24-26 is respectfully requested.

Turning to the specific language of the claim, amended independent claim 7 is directed to a communication apparatus comprising, a transmitting device configured to transmit, to at least one other communication apparatus, an instruction signal instructing to transmit identification information to the communication apparatus, wherein the at least one other communication apparatus, that received the instruction signal, generates power for operating itself, decodes a clock from the received instruction signal and generates M different random numbers, in response to receiving the instruction signal from the communication apparatus, a receiving device configured to receive identification information transmitted by the at least one other communication apparatus each time that the number of decoded clocks which is counted by the at least one other communication apparatus, matches each of the generated random numbers, after the transmitting device transmits the instruction signal, a determining device configured to determine whether the receiving device has received the same identification information

a plurality of times, and an outputting device configured to output the identification information received a plurality of times according to a determination result of the determining device.

The applied art, Scuilli, teaches an inductive coupling system for bi-directionally transmitting data between an interrogation unit and a transponder unit. The Office Action conceded, and Applicant agrees, that Scuilli does not explicitly show that a determining device configured to determine whether the receiving device has received the same identification information a plurality of times; and an outputting device configured to output the identification information received a plurality of times according to a determination result of the determining device (page 3, Office Action). However, the Office Action asserts that above-noted elements are taught by Shimoji.

Shimoji is seen to teach a data transmission apparatus for transmitting a plurality of different sets of image data with the same values of PID and stream ID (col. 45, lines 11-13, Shimoji). While Shimoji may teach transmitting different sets of image data with the same ID, Shimoji does not disclose or suggest “determining device configured to determine whether the receiving device has received the same identification information a plurality of times, and an outputting device configured to output the identification information...” Rather, Shimoji is seen to output the plurality of different sets of image data.

In addition, both Scuilli and Shimoji, fails to teach, *inter alia*, “...receive identification information ... each time that the number of decoded clocks...matches each of the generated random numbers...”, as recited in claim 7. Nowhere is Scuilli or Shimoji seen to teach receiving identification information based on different events as recited above in claim 7. In fact, the applied arts are not seen to teach generating random numbers.

Based on the foregoing remarks, Applicant respectfully submits that the applied arts, either taken alone or in combination, do not render the invention recited in amended independent claim 7 obvious because the applied arts do not teach at least the foregoing features of claim 7. As such, withdrawal of the rejections of claim 7 is respectfully requested. In addition, amended independent claim 16 contains substantially similar features as that of claim 7, and is rejected based on the same reasons. Hence, claim 16 is

also believed allowable for the same reasons discussed above in connection with claim 7. As such, Applicant respectfully requests the Examiner indicate the allowance of claims 7 and 16 at the Examiner's earliest convenience.

Turning to the specific language of amended independent claim 19, claim 19 recites a communication apparatus comprising, a receiving device configured to receive an instruction signal instructing to transmit identification information, a number generating device configured to generate M different random numbers in response to receipt of the instruction signal, a power generating device configured to generate power for operating the communication apparatus from the instruction signal received by the receiving device, a clock generating device configured to generate a clock from the instruction signal received by the receiving device, a counting device configured to count the generated clock, a determination device adapted to determine whether or not the number of clocks counted by the counting device matches one of the M different random numbers generated by the number generating device, and a transmitting device configured to transmit identification information of the communication apparatus, each time a clock count obtained by the counting device matches one of the numbers generated by the number generating device.

Scuilli is not seen to teach the foregoing features of claim 19, in particular, "a transmitting device configured to transmit identification information of the communication apparatus, each time a clock count obtained by the counting device matches one of the numbers generated by the number generating device". As discussed above in connection with claim 7, Scuilli does not teach generating random numbers. Furthermore, Scuilli is silent in regard to the specific timing for transmitting identification information, much less transmitting identification information of the communication apparatus, each time a clock count obtained by the counting device matches one of the numbers generated by the number generating device, as recited in claim 19.

The other applied art, namely Shimoji, is not seen to remedy the foregoing deficiencies of Scuilli. Based on the foregoing remarks, Applicant respectfully submits that the applied arts, either taken alone or in combination, do not render the invention recited in amended independent claim 19 obvious because the applied arts do not teach at

least the foregoing features of claim 19. As such, withdrawal of the rejections of claim 19 is respectfully requested. In addition, amended independent claim 23 contains substantially similar features as that of claim 19, and is rejected based on the same reasons. Hence, claim 23 is also believed allowable for the same reasons discussed above in connection with claim 19. As such, Applicant respectfully requests the Examiner indicates the allowance of claims 19 and 23 at the Examiner's earliest convenience.

The other pending claims remaining under consideration in this application are each dependent from the independent claims discussed above and are therefore believed to be in condition for allowance for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, individual consideration of each on its own merits is respectfully requested.

CONCLUSION

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

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Should the Examiner have any questions, the Examiner may contact Applicant's representative at the telephone number below.

Respectfully submitted,

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/Trevor Chuang/

Date

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